Application Number	10/631,932	R	AMIKAWA ET AL.						
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TERMINAL DISCLAIMER	⊠ APPROVI	ED	☐ DISAPPROVED						
Date Filed : February 16, 2006	to a Te	t is subject erminal aimer							
Approved/Disapproved by:									
Henry D. Jefferson									

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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A "PRIOR" PATENT

Docket Number (Optional)

HEJECTION OVER A PRIOR PATENT	299002051701							
In re Application of: Takeshi KAMIKAWA et al.								
Application No.: 10/631,932	Application No.: 10/631,932							
Filed: July 30, 2003								
LIGHT EMITTING APPARATUS, METHOD FOR DRIVING THE LIGHT EMITTING APPARATUS, AND DISPLAY APPARATUS INCLUDING THE LIGHT EMITTING APPARATUS								
The owner', Sharp Kabushiki Kaisha , of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of prior patent No. 6,628,249 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.								
in making the above disclaimer, the owner does not disclaim the terminal part of the term of application that would extend to the expiration date of the full statutory term as defined in 35 patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," is later: expires for failure to pay a maintenance fee; is held unenforceable:	U.S.C. 154 and 173 of the prior							
is new unerrorceator; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.								
Check either box 1 or 2 below, if appropriate.	med by any terminal disclaimer.							
1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.								
2. X The undersigned is an attorney or agent of record. Reg. No. 47,063								
Mark & Lhnith	February 15, 2006							
olg all all	Date							
Mark E. Schmidt Typed or printed name								
ryped of prated name	(CEA) 910 4000							
	(650) 813-4222 Telephone Number							
X Terminal disclaimer fee under 37 CFR 1.20(d) is included.	•							
*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.								
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02/21/2005 HTECKLU 02 FC:1814

T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			28-Feb-06		APPL. S. N:		10631932]	
To Exami	ner:		SHENG, TOM V.		Art Unit		2673	Ī	
From			Jefferson, Henry PARALEGAL SPCECIALIST	т	Return This Memo To: Ca Drop-Off Location	ise	JEF-2D68		
SUBJECT	r: Decisio	n on Terminal	Disclaimer(T.D.) filed:						
form para or have a	agraphs ion	dentified by thi ions, please se	is informal memo in your e me or the Special Progr	next Of ram Exa	ults as set forth below. If fice action to notify applic miner. THIS IS AN INFOR ECORD IN THE APPLICATI	ant of the	he T.D. If you disa ITERNAL MEMO ON	gree LY.	
please ini	tial, date	and return thi	s memo to me. THANK Y	OU.					
v	The T.D.	is PROPER and	d has been recorded (see	14.23).					
	The T.D.	is NOT PROPE	R and has not been accep	oted for	the reason(s) checked be	low (see	2 14.24):		
		The TD fee of use of a depos	/	ubmitted	I nor is there any authoriz	zation in	the application file	e for the	
		The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).							
		The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).							
		The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).							
		The person wi	ho signed the T.D.:						
		is no	ot an attorney "of record"	(see 14	.29 and 14.29.01).				
		has t	failed to state his/her cap	acity to	sign for the business enti	ity (see	14.28).		
		is no	ot recognized as an office	r of the	assignee (see 14.29 & po	ssible 14	4.29.02).		
		No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).						e reel and	
		The T.D. is no	t signed (see 14.26 & 14	.26.03)					
		The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).							
	Ċ	The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).							
		The period dis	sclaimed is incorrect or no	ot specif	ied (see 14.26, 14.27.02	or 14.26	5.03).		
		Other:						52	
		Suggestion to and do not ch		36). NO	E: If already authorized,	credit re	efund to deposit ac	count	
I have ap	propriate	ely notified app	licant(s) of the status of	the Terr	ninal Disclaimer filed in th	nis case.			
Ex.Initials	s:	Date	e:				Log Date:		